

REMARKS

Claims 1-14 are pending.

In the Office Action mailed July 12, 2007, claims 1-4, 6, 8, 9-14 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Pat. No. 7,016,872, to Bettis et al in view of U.S. PG Pub. No. 20010042037 to Kam et al. Claims 5 and 7 stand rejected under 35 U.S.C. § 103(a) over combinations of Bettis, Kam, Gatto (6,681,211), and Harris (5,517,406). The rejections are respectfully traversed.

Bettis relates to a system for disseminating information regarding trading activities of insider traders to the public. Insiders are ranked according to how well their trading actions have predicted market movement. See, e.g., col. 4, lines 32-38. Bettis's invention is essentially the process of evaluating trader's activities. As explained in the background section of Bettis, one of the needs sought to be provided by Bettis is to provide an indication the reliability of a trader's actions, because, "actions of certain insiders or traders may prove to be more reliable in predicting an investment's price movement than other insiders or traders. Thus a need exists for a system... for providing not only information concerning an insider's or trader's actions, but also information pertaining to the reliability of a particular insider's or trader's actions." (col. 2, lines 1-8).

All of the instances in which the terms "reliable" or "reliability" appear in Bettis relate to an insider's or trader's *actions*. Bettis analyzes trader's actions and compares them to market movements and provides an indication of the trader's so-called reliability. Even if the term reliability could be considered as synonymous with trustworthy, which is not conceded by applicant, the term reliability as used in Bettis, only relates to the particular trader's *actions* and does not relate to reliability of the insider or trader or a source organized by a level of reliability/trustworthiness. There is simply no discussion in Bettis or Kam of any hierarchy of sources organized by level of trustworthiness, or any users identified as a member of such a hierarchy of sources.

The Office Action asserts at pages 3-4 that Bettis teaches element (b) of claim 1: "(b) storing the data from the computer associated with the first user in a relational database and identifying the data as coming from the first user, wherein the first user is identified as *a member of a hierarchy of sources organized by level of trustworthiness*." The Office Action points to Bettis col. 16 lines 14-28, col. 4, lines 32-35 and Fig. 7 (710) for this assertion. However, these

sections of Bettis relate to an insider scoring for an insider performance measurement or evaluation which uses ranking based on “returns that are observed after their decisions for buying and selling activity.” (Bettis col. 4, lines 35-38) Such scoring relates to the insider/traders actions and relative performance of returns of the insider/trader. Bettis’s scoring and evaluation techniques do not relate to, use, or describe any hierarchy of sources organized by level of trustworthiness. Bettis only describes providing rankings of insiders/traders actions. Furthermore, these traders are not identified as a member of a hierarchy of sources organized by level of trustworthiness.

The examiner is respectfully reminded that MPEP 2143.03 requires that “all words in a claim must be considered in judging the patentability of that claim against the prior art.” See *In re Wilson*, 424 F.2d 1382, 1385, 165 USPQ 494, 496 (CCPA 1970).

Further distinguishing claim 1 from Bettis is element (d) which recites: “(d) in response to the request from the second user, transmitting the data from the relational database to a second user computer, wherein, absent a request from the second user for data from a specific source or level of trustworthiness, the data transmitted comprise data from users of the highest level of trustworthiness available.”

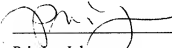
The Office Action at page 4 asserts that this element is taught by Bettis Fig. 5, col. 15, lines 30-40. This is not so. Fig. 5 displays a list of insiders and information about each insider. Fig. 5 does not show data transmitted in accordance with a request from a user. Col. 15, lines 30-40 of Bettis describes Fig. 5 and specifically states the opposite of what is recited in claim 1: “the user may just as easily elect to view a list of only the investors having the highest selling transaction performance scores or of only the highest buying transaction performance scores.” (Bettis, col. 15, lines 37-40) According to Bettis, the user must affirmatively elect to view only investors having a highest selling transaction performance score. Even if a transaction performance score could be considered synonymous with a level of trustworthiness, which is not conceded, element (d) of claim 1 specifically recites that data is transmitted in response to a request, and “*absent a request from the second user for data from a specific source or level of trustworthiness*, the data transmitted comprise data from users of the highest level of trustworthiness available.” Thus, the data transmitted is tailored with respect to level of trustworthiness in the absence of a request that specifies the data source or level. Bettis does not describe this.

Kam describes a system for providing analytic tools for investment portfolio management, but does not discuss anything relating to trustworthiness. Therefore, even if Kam were combined with Bettis, these references do not teach at least elements (b) and (d) of claim 1, as discussed above. Thus, it is submitted that the rejection of claim 1 over the references is improper and should be withdrawn. Independent claims 8 and 14 include elements in common with claim 1 and are also allowable for the reasons discussed with respect to claim 1. Dependent claims 2-7 and 9-13 which include all of the elements of the respective independent claims are also allowable over the references for the reasons discussed with respect to claim 1. Thus, the Office Action's rejection of claims 1-14 as unpatentable over the references should be reconsidered and withdrawn.

Please charge any required fee to Deposit Account No. 50-0310.

Respectfully submitted,

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